

**MORGAN, LEWIS & BOCKIUS LLP**  
(A Pennsylvania Limited Liability Partnership)  
502 Carnegie Center  
Princeton, NJ 08540  
(609) 919-6609/6656  
Richard G. Rosenblatt  
Valerie E. Manos  
Attorneys for Defendant Cognizant  
Technology Solutions Corporation

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

VASSILIKI KOUKOUTAS,

Plaintiff,

v.

COGNIZANT TECHNOLOGY  
SOLUTIONS, INC. a corporation,

Defendants.

Civil Action No. \_\_\_\_\_

**NOTICE OF REMOVAL**

**Document Filed Electronically**

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEW JERSEY

**PLEASE TAKE NOTICE** that, pursuant to 28 U.S.C. §§ 1331, 1441 and 1446,  
Defendant Cognizant Technology Solutions Corporation (incorrectly named in the Complaint as  
“Cognizant Technology Solutions, Inc.”) hereby removes this action to the United States District  
Court for the District of New Jersey from the Superior Court of New Jersey, Law Division,  
Hudson County. The grounds for removal are as follows:

1. On or about April 26, 2011, Vassiliki Koukoutas commenced this action by filing  
a Summons and Complaint in the Superior Court of New Jersey, Law Division, Hudson County  
(Docket No. L-2246-11), against Cognizant. A true and correct copy of the Summons and  
Complaint is attached hereto as Exhibit A.

2. Plaintiff served a copy of the Summons and Complaint on Cognizant on or about May 3, 2011. No other proceedings have been held in this action, and the Summons and Complaint constitute all processes and pleadings served upon Cognizant in this action.

3. Under 28 U.S.C. § 1446(b), this Notice of Removal must be filed within 30 days of any possible service of the Summons and Complaint. Since Cognizant is filing this Notice on May 27, 2011, removal is timely.

4. The time for Defendant to answer, move, or otherwise plead with respect to the Complaint has not yet expired.

5. In her Complaint, Plaintiff asserts one claim for disability discrimination under the New Jersey Law Against Discrimination (“NJLAD”), N.J.S.A. 10:5-1, et seq. (Count One), and one claim of violations of the Family and Medical Leave Act (“FMLA”), 29 U.S.C. 2601, et seq. (Count Two).

6. 28 U.S.C. § 1331 provides that federal district courts “have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

7. 28 U.S.C. § 1367 provides that “in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy ...”

8. Defendant removes this action pursuant to 28 U.S.C. §1441(a) on the basis that the above-captioned matter is a civil action over which this Court has federal question jurisdiction under the provisions of 28 U.S.C. §1331, in that Plaintiff asserts a claim against Defendant for violations of the federal FMLA. See Compl., Count Two.

9. In addition, pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over Plaintiff's remaining NJLAD claim, which arises out of the same nucleus of operative facts; her employment with, and ultimate termination from Cognizant. Accordingly, this entire action is removable under § 1441(a) and (c).

10. Removal to this Court is proper pursuant to 28 U.S.C. § 1441(a), because the United States District Court for the District of New Jersey is the federal judicial district embracing the Superior Court of New Jersey, Law Division, Hudson County, where this action was originally filed.

11. By filing the Notice of Removal in this matter, Cognizant is not waiving any defenses or objections it may have, and specifically reserves their right to assert any and all defenses and/or objections in this case.

12. Pursuant to 28 U.S.C. §1446(d), written notice of the filing of this Notice of Removal will be given to Plaintiff, and a copy of the Notice of Removal will be filed with the Clerk of the Superior Court, State of New Jersey, Law Division, Hudson County.

**WHEREFORE**, Notice is given that this action is removed from the Superior Court of New Jersey, Law Division, Hudson County, to the United States District Court for the District of New Jersey.

Respectfully submitted,

/s/ Valerie E. Manos  
Richard G. Rosenblatt  
Valerie E. Manos  
MORGAN, LEWIS & BOCKIUS LLP  
502 Carnegie Center  
Princeton, NJ 08540  
Phone: (609) 919-6609/6656  
*Attorneys for Defendant Cognizant  
Technology Solutions Corporation*

DATED: May 27, 2011

## **EXHIBIT A**

KRUMHOLZ DILLON, PA  
Attorneys at Law  
574 Summit Avenue, Suite 402  
Jersey City, NJ 07306  
(201) 656-5232  
(201) 656-7270 (Fax)

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VASSILIKI KOUKOUTAS,  
  
Plaintiff

SUPERIOR COURT OF NEW JERSEY  
COUNTY OF HUDSON  
LAW DIVISION

vs.

DOCKET NO.: HUD L-2246 11

COGNIZANT TECHNOLOGY  
SOLUTIONS, INC., A CORPORATION

CIVIL ACTION

Defendant

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**SUMMONS**

From the State of New Jersey  
To the Defendant named above:  
COGNIZANT TECHNOLOGY SOLUTIONS, INC., A CORPORATION

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN 971, Trenton, NJ 08625. A filing fee\* payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the Court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these office is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

DATED: May 4, 2011.

THEODORE J. FETTER  
SUPERIOR COURT CLERK

NAME OF DEFENDANT TO BE SERVED:  
COGNIZANT TECHNOLOGY SOLUTIONS  
Address of the Defendant to be served:  
500 Frank W Burr Boulevard  
Glenpointe Centre West  
Teaneck, NJ 07666

\* \$105.00 For Chancery Division Cases or  
\$110.00 For Law Division Cases

HUDSON COUNTY SUPERIOR COURT  
HUDSON COUNTY  
583 NEWARK AVENUE  
JERSEY CITY NJ 07306

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (201) 217-5162  
COURT HOURS

DATE: APRIL 29, 2011  
RE: KOUKOUTAS VS COGNIZANT TECHNOLOGY SOLUTIONS II  
DOCKET: HUD L -002246 11

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT. WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON ESTHER SUAREZ

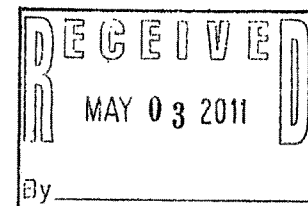
IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001  
AT: (201) 795-6116.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: ALAN L. KRUMHOLZ  
KRUMHOLZ DILLON PA  
574 SUMMIT AVE  
JERSEY CITY NJ 07306

JULIPATE



MAY 3 2011

## IMPORTANT REMINDER

You have recently filed a complaint in the Law Division, Hudson County. Enclosed please find a copy of the complaint marked "Filed" and the Track Assignment Notice (TAN). Please be sure to use the assigned docket number on all future pleadings, correspondence, etc.

You are reminded of the following:

- R.4:4-1 requires that the summons is to be issued within 15 days from the date of the Track Assignment Notice.
- R.4:4-7 requires that "proof of service" shall (mandatory) be promptly filed with the court within the time during which the person served must respond (35 days) by the person making service or by the party on whose behalf service is made.
- "Proof of Service" should be filed with the Team indicated on the TAN
- Please carefully read, understand and follow R.4:24-1, Time for Completion of Discovery, and R.4:24-2, Motions Required to Be Made During Discovery Period.
- Always be aware of the operative Discovery End Date (DED) for your case. If in doubt, you can contact the Team indicated on the TAN or this information may be found on the Judiciary's website homepage at [www.njcourtsonline.com](http://www.njcourtsonline.com) under the heading "civil discovery end date search".

Peter F. Bariso, Jr.  
Presiding Judge Civil Division



**FILED**  
TEAM #1

APR 26 2011

KRUMHOLZ DILLON, PA<sup>3</sup> SUPERIOR COURT OF NEW JERSEY  
574 Summit Avenue, Suite 402 COUNTY OF HUDSON  
Jersey City, NJ 07306 CIVIL DIVISION #12  
(201) 656-5232  
Attorneys for Plaintiff

VASSILIKI KOUKOUTAS,  
  
Plaintiff

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION

COUNTY OF HUDSON

vs.

DOCKET NO.: L-2246-11

COGNIZANT TECHNOLOGY  
SOLUTIONS, INC., a corporation

CIVIL ACTION

Defendant(s)

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**COMPLAINT**

Plaintiff, Vassiliki Koukoutas, residing at 196 West 25th Street, C-3, Bayonne, NJ  
07002, complaining of the Defendant, says:

**FIRST COUNT**

1. That the plaintiff, Vassiliki Koukoutas, was employed by the defendant, Cognizant Technology Solutions, Inc., a corporation, in the capacity of Executive Assistant for the period of October 2009 until the termination of her employment on or about January 19, 2011 and performed services in accordance with the expectations of her employer and was paid wages in accordance therewith.

2. That during the period of her employment in about October 2010, the plaintiff became afflicted with a neurological condition which caused her to require medical treatment and to lose occasional time from her work.
3. That plaintiff did seek such treatment and was thereafter ordered by her doctor to remain away from work for approximately ten days in December 2010, during which time she underwent medical treatment.
4. That the plaintiff did provide the defendant with a medical certification from her doctors providing a return to work date of December 20, 2010.
5. That on or about January 6, 2011, defendants did terminate the plaintiff's employment effective January 19, 2011.
6. That said termination arose as the result of the plaintiff's having sustained a disability for which she required medical treatment and time off from work.
7. That the plaintiff was prepared to return to work and was able to return to work following her period of disability.
8. That the defendant did fail to accommodate the plaintiff's need for lost time for medical treatment for her neurological disability.
9. That the termination of the plaintiff's employment constituted disability discrimination in violation of the plaintiff's rights under the New Jersey Law Against Discrimination, N.J.S.A. 10:5-4.1, *et seq.*

10. That as a result of the actions of the defendant(s) as aforesaid, plaintiff was caused to sustain a loss of employment and income and was caused to sustain emotional and psychological distress and harm, embarrassment and a continuous and permanent interference with the prospect of future economic advantage and with the ability to obtain future employment.

**WHEREFORE**, plaintiff demands judgment for compensatory and punitive damages and equitable relief on this Count of the Complaint against any or all of the said defendants, together with interest, attorney fees and costs of suit.

#### **SECOND COUNT**

Plaintiff repeats the allegations of the previous Count of the Complaint and incorporates same herein by reference and further says:

1. That the plaintiff was entitle to the benefits of the Federal Family and Medical Leave Act 29 USC 2601, *et seq.*
2. That the defendant did deny the benefits and rights under the Federal Family and Medical Leave Act .
3. That as a result of the actions of the defendant(s) as aforesaid, plaintiff was caused to sustain a loss of employment and income and was caused to sustain emotional and psychological distress and harm, embarrassment and a continuous and permanent interference with the prospect of future economic advantage and with the ability to obtain

future employment.

**WHEREFORE**, plaintiff demands judgment for compensatory and punitive damages and equitable relief on this Count of the Complaint against any or all of the said defendants, together with interest, attorney fees and costs of suit.

**JURY DEMAND**

Plaintiff hereby demands trial by jury on all issues herein.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, Alan L. Krumholz is hereby designated as trial counsel for Plaintiff in the within matter.

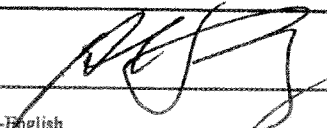
**R.4:5-1 CERTIFICATION**

Pursuant to R.4:5-1, it is hereby certified that, to the best of our knowledge and belief, the matter in controversy is not the subject of any other action pending in any other Court of a pending Arbitration proceeding. Also, to the best of our knowledge and belief, no other action or

Arbitration proceeding is contemplated. Further, other than the parties set forth in this pleading, at the present time we know of no other parties that should be joined in this action.

**KRUMHOLZ DILLON, P.A.**  
**Attorneys for Plaintiff**

  
\_\_\_\_\_  
ALAN L. KRUMHOLZ

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 <b>Pleading will be rejected for filing; under Rule 1:5-6(c),            if information above the black bar is not completed or            if attorney's signature is not affixed</b>		PAYMENT TYPE: CK CG CA	
		CHG/CK NO.	
		AMOUNT:	
		OVERPAYMENT:	
		BATCH NUMBER:	
ATTORNEY/PRO SE NAME ALAN L. KRUMHOLZ, ESQ.	TELEPHONE NUMBER (201) 656-5232	COUNTY OF VENUE Hudson	
FIRM NAME (If applicable) KRUMHOLZ DILLON, PA		DOCKET NUMBER (When available) 1-2246-11	
OFFICE ADDRESS 574 Summit Avenue Jersey City, NJ 07306		DOCUMENT TYPE COMPLAINT	
		JURY DEMAND XX YES NO	
NAME OF PARTY (eg, John Doe, Plaintiff) Vassiliki Koukoutas	CAPTION Vassiliki Koukoutas v. Cognizant Technology Solutions		
CASE TYPE NUMBER (See reverse side for listing) 608	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (IF KNOWN) <input type="checkbox"/> NONE UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION <i>LAO, PENLA Violations</i>			
DO PARTIES HAVE A CURRENT, PAST, OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP: <input checked="" type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION <input type="checkbox"/>			
YES <input checked="" type="checkbox"/> NO			
WILL AN INTERPRETER BE NEEDED? IF YES, FOR WHAT LANGUAGE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE 			

SIDE 2

# CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

**CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)

**Track I - 150 days' discovery**

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM Or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

**Track II - 300 days' discovery**

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE- PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

**Track III - 450 days' discovery**

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLE BLOWER /CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

**Track IV - Active Case Management by Individual Judge / 450 days' discovery**

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

**Centrally Managed Litigation (Track IV)**

- |                                  |  |
|----------------------------------|--|
| 280 ZELNORN                      | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 285 STRYKER TRIDENT HIP IMPLANTS | 291 PELVIC MESH (Johnson & Johnson)        |
| 288 PRUDENTIAL TORT LITIGATION   | 292 PELVIC MESH (Bard)                     |

**Mass Tort (Track IV)**

- |                                       |  |
|---------------------------------------|--|
| 248 CIBA GEIGY                        | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 282 FOSAMAX                            |
| 271 ACCUTANE                          | 283 DIGITEK                            |
| 274 RISPERDAL/SEROQUEL/ZYPREXA        | 284 NUVARING                           |
| 275 ORTHO EVRA                        | 286 LEVAQUIN                           |
| 277 MAHWAH TOXIC DUMP SITE            | 287 YAZ/YASMIN/OCELLA                  |
| 278 ZOMETA/AREZIA                     | 601 ASBESTOS                           |
| 279 GADOLINIUM                        |  |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category: ☐ Putative Class Action ☐ Title 59